



COUNTY OF LOS ANGELES

JUDICIAL PROCEDURES COMMISSION

383 Hall of Administration / 500 West Temple Street / Los Angeles, California 90012 / (213) 974-1431

MINUTES OF THE 660th MEETING OF THE JUDICIAL PROCEDURES COMMISSION

The 660th meeting of the Los Angeles County Judicial Procedures Commission was held on March 17, 2005, in Room 739 at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California. A list of those in attendance follows:

MEMBERS PRESENT

Bertrum M. CeDillos, Chair
Clifton Albright, Vice Chair
Lee Kanon Alpert
Walter P. Coombs
Ann Jackson
Thomas J. Jeffers
Carol Rose
Sylvia Scott-Hayes

EX-OFFICIO MEMBER

Capt. Kenneth Masse, LASD
Larry Mason, District Attorney's Office

COUNTY REPRESENTATIVES

Bea Dieringer, District Attorney's Office
Danette E. Meyers, LA County Bar Association
Honorable John H. Sandoz, Superior Court
Laura Green, Public Defender's Office
Dr. Margaret Little, Superior Court
Sgt. Bruce Haar, LA County Sheriff's Department

CALL TO ORDER

Chair CeDillos called the 660th regular meeting of the Los Angeles County Judicial Procedures Commission (JPC) to order at 12:34 p.m.

PLEDGE OF ALLEGIANCE

Ex-Officio Member Heather Aubry was asked to lead everyone in the Pledge of Allegiance which was followed by introductions of Commissioners, Ex-Officio Members, Staff and guests.

Bertrum M. CeDillos
Chair

Clifton W. Albright
Vice Chair

Lee Kanon Alpert
Nelson L. Atkins
Walter P. Coombs
William J. Galloway
Ann Jackson
Thomas J. Jeffers
Janice Kamenir-Reznik
Neal S. Millard
Carol L. Rose
Sylvia Scott-Hayes
Robbi J. Work

MEMBERS EXCUSED

Nelson L. Atkins
William J. Galloway
Janice Kamenir-Reznik
Neal S. Millard
Robbi J. Work

CITY REPRESENTATIVES

Lt. George Bush, LAPD
Heather Aubry, LA City Attorney
Michael P. Karsch

EXECUTIVE OFFICE

Jim Corbett
Dedie Ward
Audra Galang

GUEST

Tut Hayes

APPROVAL OF THE MINUTES OF MARCH 17, 2005

On motion of Commissioner Alpert, seconded by Commissioner Coombs and unanimously carried, the minutes of March 17, 2005 were approved.

A member of the public, Tut Hayes, noted that the American Flag in the meeting room should be to the left of all the other flags.

(Vice Chair Albright joined the meeting.)

CHAIR'S REPORT

Chair CeDillos reported that he met with the new Presiding Judge William A. MacLaughlin who has a very impressive professional background and is an outstanding leader. A congratulatory letter was sent to the Judge on behalf of the Commission.

GUEST SPEAKER – JUDGE JOHN H. SANDOZ – PRESENTATION ON OVERVIEW OF FAMILY LAW

Chair CeDillos welcomed and introduced the Honorable John H. Sandoz, Assistant Presiding Judge of Family Law Court, who gave an overview on the various operations performed by the Court and the many changes that have occurred over the years.

Judge Sandoz has worked in the Family Law Court for 24 years. He stated that before 1969, the State of California Courts had Fault Divorces. If a couple wanted to divorce, a basis for the divorce had to be shown such as infidelity or cruelty, and the community assets of the couple were divided up exactly equally. If the couple had young children, the mother always got custody of the children under the "tender years" doctrine.

In the early 70's, the No Fault Divorce came into effect and it was no longer necessary to show that there was a basis for a divorce. One of the married parties simply had to declare that irreconcilable differences had occurred and the marriage could not be saved. The only major cause of concern with the No Fault Divorce was the division of the attributable assets of the couple and if there were children, the arrangements for their care.

Judge Sandoz stated that whenever there are children to consider in divorce cases custody orders must be made. The process would be much easier if the parties involved were in agreement and parted amicably. However, this is rarely the case and a Judicial Officer must make the difficult decisions about asset division, and custody of the children.

Another issue Family Law Court has had to address is "move aways". Move Aways are when one party of a divorced couple decides to move away to another location and take the children with them. This issue is usually very destructive for the family, particularly for the parent who doesn't have custody of the children. If the family is in disagreement,

the Judge has to make the most appropriate arrangements considering the circumstances.

Over the years, mandatory guidelines for child support have been instituted, and Judges have been given the responsibility of determining the amount of child and spousal support to allocate based on a standard arithmetic formula. The Judge is not allowed to deviate from this formula unless there are extenuating circumstances. Currently, spousal support guidelines are not mandatory.

Today's divorcing couples usually have more assets accumulated than couples from years ago. Financial portfolios, properties, retirement plans and luxury items etc. can be among the many items that have to be divided. Judicial Officers are bound by statutes to divide the assets up equally in terms of the value; however, a dollar amount must be placed on the assets before they can be divided. This practice has generated a whole new business industry of people that value assets. The parties of a divorce each hire their own expert to assess the assets and oftentimes the value amounts are very different. In these cases, the Judge has to make a determination on which set of numbers to use and make the final decision.

The Domestic Violence Order is also being used in divorces. Often called the "poor person's divorce", these orders are used by many people who do not have enough money to go through a divorce. Domestic Violence Orders do not need an attorney for processing, the forms are very understandable and pro pers do them quite frequently, and a person can fill out and process the paperwork without legal representation.

The orders can be granted via telephone by a Judicial Officer on duty in the court at the request of a policeperson at the scene of a domestic violence call. A restraining order is then issued which is good for 5-7 court days. In the interim, the affected person must go into the court, get a temporary restraining order issued, and have a hearing date set. The hearing date is usually set within 3-4 weeks. At the hearing a permanent restraining order can be requested with a maximum time of three years.

One of the most recent matters that Family Law Court has had to deal with is handling Domestic Partner cases. Domestic Partners are two people living together to utilize certain resources that the other individual has such as health insurance, or retirement plans etc. As of January 1, 2005, domestic partners are now allowed to register with the Courts. If they decide to end the relationship, they too have to come to the Family Law Court to terminate their domestic partnership, have their assets divided, and if there are children involved, have the court make the custody decisions. This is a fairly new responsibility of the Family Law Court and procedures are being developed as more cases come before the court.

Judge Sandoz advised that he works in the Long Cause Trial Court and handles all of the trials that last at least five days or more, in addition to the Orders to Show Cause Hearings which can be lengthy. Family Law Court usually has only one or two days a week in which to do trials. If there is a trial or hearing that the Court thinks will take 5 days or more, then the case is sent to Judge Sandoz who will then calendar the case

and allow enough time for it to be addressed. Following a question and answer period, Chair CeDillos thanked Judge Sandoz for his presentation.

COMMITTEE REPORTS AND UPDATES

Child Custody Exchange

Bea Dieringer gave an update on the status of the Child Custody Exchange program, noting that the authorization to submit an application for grant funding to the Department of Justices' Safe Havens program was approved by the Board of Supervisors on March 8, 2005.

The proposal calls for a pilot for two Child Custody Exchange Centers in the Temple city and Carson Sheriff's Stations. The Countywide Criminal Justice Coordinating Committee (CCJCC) has been designated as the administrator of the grant funds. Trained staff from Bienvenidos and L. A. Wings of Faith will coordinate the intake process and monitor the exchanges. Three hundred forty thousand dollars has been requested to fund the program for two years. As a pilot project, staff will be able to develop data on the operation of the centers as a basis for justifying the project and securing permanent funding.

The Committee will not know whether the funds have been granted until September this year. In the interim, the Committee will continue to meet to develop the procedures and protocol for the program in the event the funds are granted and also explore other funding opportunities.

Airport Court Child Waiting Room

Commissioner Jackson reported that the opening for the Airport Court Child Waiting Room is scheduled for the middle or latter part of May due to construction delays.

Commissioners Jackson, Millard, Rose and Margaret Little attended the Junior League's reception honoring Councilman LaBonge on March 10th. Commissioner Jackson added that the Junior League produces domestic violence brochures in 8 different languages which could be useful at courthouses.

Commissioner Jackson also reported that Margaret Little and herself are scheduled to make a presentation about the Child Waiting Room project and discuss the possibility of partnering with the Commission for Women at its April 25th Commission meeting.

Meeting Room Change

Jim Corbett advised that the Commission has had to change its meeting room this year because the Board of Supervisors need the use of their conference rooms on the 8th floor to accommodate the many meetings they have each day. Chair CeDillos reminded everyone that the **JPC Commission meeting location has been changed to Room 140 on the 1st Floor for the remainder of the year.**

PUBLIC COMMENT

Mr. Tut Hayes commented that the Airport Court has a heliport on the top of the building and that the doors leading up to the roof are kept locked for security reasons. Mr. Hayes is concerned that the safety of the children in the Child Waiting Room may be jeopardized if the building has to be evacuated.

Chair CeDillos commented that he is confident security personnel for the building as well as fire representatives are aware of the rooftop door situation and that in the event of an emergency, is sure that the safety and evacuation of the children will be a priority.

Mr. Hayes also commented on misdemeanor appeal pamphlets available on the 6th floor of the Appellate Court that he alleges has misinformation printed on the material.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:42 p.m.